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IN THE U.S. PATENT AND TRADEMARK OFFICE

Inventor Helmut JANSEN et al
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For COLUMN PARTITION
Art Unit 1764
Hon. Commissioner of Patents
Washington, DC 20231

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RESPONSE TO REQUIREMENT FOR RESTRICTION

This is in response to the Office Action (paper 6) mailed 17 September 2002.

REMARKS:

Pursuant to the requirement for restriction, applicants elect provisionally the invention classified in Group I to which claims 1-18 are directed.

The Examiner has chosen to distinguish between claims 19 and 20 of Group II, drawn to the column and the elected invention of Group I directed to partitions for use in such columns on the ground that the latter group of claims represents a subcombination of the former group of claims.

If the claims are indeed related as combination and subcombination, then the test as to whether there is unity of invention or restriction is not proper, is based upon the utility of the combination or subcombination for the purposes of which the subcombination has been created. In other words neither the combination nor the subcombination is to be considered in a vacuum.